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To: Microsoft ATR
Date: 12/13/01 8:57pm
Subject: AtATgram: Over Before You Knew It (12/13/01)

Brian <blburton@mac.com> is sending you a scene from _As_the_Apple_Turns!_

Scene 3451 follows:

Over Before You Knew It (12/13/01)

'Tis a sad day, indeed, for "Redmond Justice" has finally wound to a close. That news may come as a shock to those of you who have been following the antitrust action from the very beginning, because you probably thought that a federal judge still needs to approve the proposed settlement between Microsoft and the Justice Department before the case can officially be considered over and done with. We thought that, too, but evidently we were wrong-- at least, if Microsoft's latest actions are any indication.

See, faithful viewer CHOLLYHEAD noticed a CNET article which reports that Microsoft has already gone ahead and named two "compliance officers" responsible for ensuring that the company sticks to the behavioral changes outlined in the consent decree. That'd be the _new_ consent decree, mind you, as opposed to that old one from '95 which Microsoft treated with as much respect as it would a used Kleenex facial tissue. But hey, this time will obviously be different-- these two compliance officers will make sure of that! Especially since one of them is already on the Microsoft payroll in the company's "Law and Corporate Affairs antitrust practice group." (Way to inspire confidence...)

Now, clearly Microsoft wouldn't jump the gun and appoint compliance officers before the settlement was even _approved,_ right? As Microsoft CEO Steve Ballmer himself stated, "As a major employer and a leader in our industry, we take our legal obligations very seriously." Therefore, the company would _never_ try to influence a judge to approve a proposed settlement by enacting the restrictions in said settlement before it's been given the go-ahead. No sirree Bob. Apparently all that stuff we heard about a sixty-day period of public comment followed by another thirty days of Justice Department response before the judge even has the _option_ of approving the settlement was just a hoax.

Then again, if Microsoft _is_ enacting compliance months before the settlement is even approved, we can only hope that the judge

isn't naïve enough to fall for a blatantly transparent "we'll be good little boys" act. As faithful viewer JONATHAN FLETCHER pointed out, the Senate Judiciary Committee is pretty skeptical about the settlement proposal, at least according to the New York Times, so here's hoping that people in general aren't really as painfully stupid as Microsoft seems to think they are.

As for those nine states still pushing for tougher (read: "actual") penalties, check out The Register's commentary on Microsoft's ranting attempt to get the judge to force them to accept the settlement as it's currently worded-- it's worth a giggle. And here's hoping that Microsoft's voluntary early compliance with the as-yet-unapproved consent decree only shows the judge just how ineffectual those "remedies" will be before she actually accepts or rejects it...

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<<http://www.appleturns.com/scene/?id=3451>>

To see the complete, unadulterated episode in which this scene was originally broadcast, visit:

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